Case 09-40640 Doc 1 Filed 10/28/09 Entered 10/28/09 17:02:42 Desc Main B1 (Official Form 1) (1/08) Document Page 1 of 46

### United States Bankruptcy Court Northern District of Illinois Eastern Division

Voluntary Petition

Name of Debtor (if individual, enter Last, F	irst, Middle):		Name o	Name of Joint Debtor (Spouse) (Last, First, Middle)							
Lopez, Jos	se Antonio			Lopez, Patricia							
All Other Names used by the Debtor in the and trade names):	last 8 years (include ma	rried, maiden	maide	en and trade na	meś):		last 8 years (include married,				
Last four digits of Soc. Sec. or Individual-T. (if more than one, state all) * ****_***_1	axpayer I.D. (ITIN) No./Co	omplete EIN		Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all) * ***-**-8334							
Street Address of Debtor (No. & Street, Ci	ty, and State):		Street	Address of Join	nt Debtor (No.	& Street, City	, and State):				
14408 General Drive			_   144	l08 Gene	ral Driv	'e					
Plainfield IL	6	0544	_   Pla	infield IL	-		60544				
County of Residence or of the Principal Pl	ace of Business:		County	y of Residence	or of the Princ	cipal Place of I	Business:				
WI	LL					WILL					
Mailing Address of Debtor (if different from	street address)		Mailing	g Address of Jo	int Debtor (if o	different from s	street address):				
Leasting of Driving Associated Provinces	- h.t (if - liff t f t										
Type of Debtor (Form of Organization)	Τ `		$\overline{}$	oter of Bankru	ntey Code Un	der Which th	e Petition is Filed (Check one box)				
(Check <b>one</b> box)	Nature of Bu (Check one		Citap	itel of Balikiu	olcy Code of	idei willcli tii	e retition is riled (Check one box)				
Individual (includes Joint Debtors)	Heath Care Busine		■ CI		☐ Chapter	15 Petition for Recognition					
☐ Corporation (includes LLC & LLP)	Exhibit D on page 2 of this form Single Asset Real Estate as oration (includes LLC & LLP) defined in 11 U.S.C §101 (51B) Chapter 9 of a Foreign Main										
☐ Partnership	Railroad  Stockbroker			15 Petition for Recognition							
Other (If debtor is not one of the	Stockbroker  Commodity Broker	•	CI	☐ Chapter 13 of a Foreign Nonmain Proceeding							
above entities, check this box	☐ Clearing Bank			Nature of Debts (Check one Box)							
and state type of entity below.)	Other			■ Debts are primarily consumer □ Debts are primarily business							
	Tax-Exempt (Check box, if ap			debts, defined in 11 U.S.C. debts. § 101(8) as "incurred by an							
	☐ Debtor is a tax-exe organization under	•		individual primarily for a personal, family, or household							
	United States Cod			urpose."	or modechold						
	Revenue Code).				Cha	apter 11 Debt	ore				
Filing Fee (C	heck <b>one</b> box)			one box							
Filing Fee attached				☐ Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D) ☐ Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D)							
☐ Filing Fee to be paid in installments (ap	•				man business	debior as der	med iii 11 0.3.0. g 101(31D)				
signed application for the court's considurable to pay fee except in installment				Debtor's aggregansiders or afflia			debts (excluding debts owed to				
☐ Filing Fee wavier requested (applicable	to chanter 7 individuals	only) Must	Chec	k all applicable	e boxes:						
attach signed application for the court's				plan is being fi			etition from one of more classes				
				f creditors, in a							
Statistical/Administrative Information	State to a state of the state o		-10°				This space is for court use only				
<ul> <li>Debtor estimates that funds will be available Debtor estimates that, after any exemple funds available for distribution to unse</li> </ul>	ot property is excluded ar			es paid, there w	rill be no						
Estimated Number of Creditors											
1- 50- 100-	200- 1,000-	5,001- 10,000	10,001 25,000	25,001	50,001	Over					
Estimated Assets	· · · · · · · · · · · · · · · · · · ·			50,000	100,000	100,000					
\$0 to \$50,001to \$100,001 to	\$500,001 \$1,000,001		\$50,000,001	\$100,000,001	\$500,000,001	More than					
\$50,000 \$100,000 \$500,000	to \$1 to \$10 million million	to \$50 million	to \$100 million	to \$500 million	to \$1billion	\$1 billion					
Estimated Liabilities											
\$0 to \$50,001 to \$100,001 to \$50,000 \$100,000 \$500,000	\$500,001 \$1,000,001 to \$1 to \$10	\$10,000,001 to \$50	\$50,000,001 to \$100	\$100,000,001 to \$500	\$500,000,001 to \$1billion	More than \$1 billion					

Case 09-40640 Doc 1 Filed 10/28/09 Entered 10/28/09 17:02:42 Desc Main B1 (Official Form 1) (1/08) Document Page 2 of 46 **Voluntary Petition** Name of Debtor(s) Lopez, Jose Antonio This page must be completed and filed in every case) Patricia Lopez All Prior Bankruptcy Case Filed Within Last 8 Years (if more than two, attach additional sheet) Location Where Filed: Case Number: Date Filed: None None Pending Bankruptcy Case Filed by any Spouse, Partner, or Affilate of this Debtor (if more than one, attach additional sheet) Name of Debtor: Date Filed: Case Number: None District: Relationship: Judge: **Exhibit B** Exhibit A (To be completed if debtor is an individual whose debts are primarily consumer debts.) (To be completed if debtor is required to file periodic reports (e.g., I, the attorney for the petitioner named in the foregoing petition, declare that I forms 10K and 10Q) with the Securities and Exchange Commission have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12 pursuant to Section 13 or 15 (d) of the Securities Exchange Act of or 13 of title 11, United States Code, and have explained the relief available under 1934 and is requesting relief under chapter 11.) each such chapter. I further certify that I have delivered to the debtor the notice required by 11 USC § 342(b). Exhibit A is attached and made a part of this petition. /s/ Mario M Arreola Mario M Arreola Dated: 10/27/2009 **Exhibit C** Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety? Yes, and Exhibit C is attached and made a part of this petition. Nο **Exhibit D** (To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.) Exhibit D completed and signed by the debtor is attached and made a part of this petition. Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition. Information Regarding the Debtor - Venue (Check the Applicable Box.) Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District. There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District. Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District. Certification by a Debtor Who Resides as a Tenant of Residential Property (Check all applicable boxes.) П Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the

# (Address of Landlord) Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition. Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(1))

(Name of landlord that obtained judgment)

following.)

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**Voluntary Petition** 

This page must be completed and filed in every case)

Name of Joint Debtor(s)

Lopez, Jose Antonio Patricia Lopez

### **Signatures**

Signature(s) of Debtor(s) (Individual/Joint)

I declare under penalty of perjury that the information provided in this petition is true and correct.

[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7,11, 12 or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.

[If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. § 342(b).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

/s/ Jose Antonio Lopez
Jose Antonio Lopez

Dated: 10/24/2009

/s/ Patricia Lopez

**Patricia Lopez** 

Dated: 10/24/2009

Signature of Attorney

/s/ Mario M Arreola

Signature of Attorney for Debtor(s)

Mario M Arreola

Printed Name of Attorney for Debtor(s)

LAW OFFICES OF PETER FRANCIS GERACI 55 E. Monroe Street #3400 Chicago IL 60603 312.332.1800 (PH)

Date: 10/27/2009

\* In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedule incorrect.

#### Signature of Debtor (Corporation/Partnerhsip)

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

Signature of Authorized Individual

Printed Name of Authorized Individual

Title of Authorized Individual

Date

#### Signature of a Foreign Representative

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition (Check only **one** box.)

□ I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by 11 U.S.C. § 1515 are attached.

Pursuant to 11 U.S.C. § 1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

(Signature of Foreign Representative)

(Printed Name of Foreign Representative)

### << Sign & Date on Those Lines

### << Sign & Date on Those Lines

### Signature of Non-Attorney Bankruptcy Petition Preparer

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for fi ling for a debtor or accepting any fee from the debtor, as required in that section.

Printed Name and title, if any, of Bankruptcy Petition Preparer

Social Security number (If the bankrutpcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.) Address

#### Date

Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose social security number is provided above.

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. §110; 18 U.S.C. §156.



# Document Page 4 of 46 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Jose Antonio Lopez and Patricia Lopez, Debtors

Bankruptcy Docket #:

### EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUNSELING REQUIREMENT

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. check one of the five statements below and attach any documents as directed. 1. Within the 180 days before the filing of my bankruptcy case, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunites for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency. 2. Within the 180 days before the filing of my bankruptcy case, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 15 days after your bankruptcy case is filed. 3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the five days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. [Must be accompanied by a motion for determination by the court.] [Summarize exigent circumstances If your certification is satisfactory to the court, you must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy petition and promptly file a certificate from the agency that provided the counseling, together with a copy of any debt management plan developed through the agency. Failure to fulfill these requirements may result in dismissal of your case. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. Your case may also be dismissed if the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing. 4. I am not required to receive a credit counseling briefing because of: [Check the applicable statement.] [Must be accompanied by a motion for determination by the court.] Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or mental deficiency so as to be incapable of realizing and making rational decisions with respect to financial responsibilities.); Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or through the Internet.); Active military duty in a military combat zone. 5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(h) does not apply in this district.

/s/ Jose Antonio Lopez

Jose Antonio Lopez

I certify under penalty of perjury that the information provided above is true and correct.

PFG Record # 457789

10/24/2009

Dated:

Sign & Date

Here

# Document Page 5 of 46 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Jose Antonio Lopez and Patricia Lopez, Debtors

Bankruptcy Docket #:

### EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUNSELING REQUIREMENT

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. check one of the five statements below and attach any documents as directed. 1. Within the 180 days before the filing of my bankruptcy case, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency. 2. Within the 180 days before the filing of my bankruptcy case, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 15 days after your bankruptcy case is filed. 3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the five days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. [Must be accompanied by a motion for determination by the court.] [Summarize exigent circumstances here.] If your certification is satisfactory to the court, you must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy petition and promptly file a certificate from the agency that provided the counseling, together with a copy of any debt management plan developed through the agency. Failure to fulfill these requirements may result in dismissal of your case. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. Your case may also be dismissed if the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing. 4. I am not required to receive a credit counseling briefing because of: [Check the applicable statement.] [Must be accompanied by a motion for determination by the court.] Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or mental deficiency so as to be incapable of realizing and making rational decisions with respect to financial responsibilities.); Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or through the Internet.); Active military duty in a military combat zone. 5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(h) does not apply in this district.

I certify under penalty of perjury that the information provided above is true and correct.

Dated: 10/24/2009 /s/ Patricia Lopez
Patricia Lopez

Sign & Date
Here

PFG Record # 457789 B 1D (Official Form 1, Exh.D)(12/08)

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Jose Antonio Lopez and Patricia Lopez, Debtors

In re

### **SUMMARY OF SCHEDULES**

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, C, D, E, F, I and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts from Schedules D, E, and F to determine the total amount of the debtor's liabilities. Individual debtors also must complete the "Statistical Summary of Certain Liabilities and Related Data" if they file a case under chapter 7, 11, or 13.

	Aurabad		AMOUNTS SCHEDULED						
Name of Schedule	Attached YES   NO	Pages	Assets	Liabilities	Other				
SCHEDULE A - Real Property	Yes	1	\$224,480	\$-	\$-				
SCHEDULE B - Personal Property	Yes	3	\$23,225	\$-	\$-				
SCHEDULE C - Property Claimed as Exempt	Yes	1+	\$-	\$-	\$-				
SCHEDULE D - Creditors Holding Secured Claims	Yes	1+	\$-	\$259,000	\$-				
SCHEDULE E - Creditors Holding Unsecured Priority Claims	Yes	2	\$-	\$2,000	\$-				
SCHEDULE F - Creditors Holding Unsecured Nonpriority Claims	Yes	1+	\$-	\$60,770	\$-				
SCHEDULE G - Executory Contracts and Unexpired Leases	Yes	1	\$-	\$-	\$-				
SCHEDULE H - CoDebtors	Yes	1	\$-	\$-	\$-				
SCHEDULE I - Current Income of Individual Debtor(s)	Yes	1	\$-	\$-	\$2,691				
SCHEDULE J - Current Expenditures of Individual Debtor(s)	Yes	1	\$-	\$-	\$2,689				
TOTALS	<b>\$ 247,705</b> TOTAL ASSETS	\$ 321,770 TOTAL LIABILITIES							

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### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

Jose Antonio Lopez and Patricia Lopez, Debtors

Bankruptcy Docket #:

### STATISTICAL SUMMARY OF CERTAIN LIABILITIES - 28 U.S.C. § 159

If you are an individual debtor whose debts are primarily consumer debts as defined in 101(8) of the Bankruptcy Code (11 U.S.C. 101(8)), filing a case under chapter 7, 11 or 13, you must report all information requested below

Check this box if you are an individual debtor whose debts are NOT primarily consumer debts and, therefore, are not required to report any information here.

This information is for statistical purposes only under 28 U.S.C § 159 Summarize the following types of liabilities, as reported in the Schedules, and total them

Type of Liebility	Amarint
Type of Liability	Amount
Domestic Support Obligations (From Schedule E)	\$ 0
Taxes and Certain Other Debts Owed to governmental Units (From Schedule E)	\$ 2,000.00
Claims for Death or Personal Injury While Debtor was Intoxicated (From Schedule E) whether disputed or undisputed)	\$ 0
Student Loan Obligations (From Schedule F)	\$ 0
Domestic Support Separation Agreement and Divorce Decree Obligations Not Reported on (Schedule E).	\$ 0
Obligations to Pension or Profit Sharing and Other Similar Obligations (From Schedule F)	\$ 0
TOTAL	\$ 2,000
State the following:	
Average Income (from Schedule I, Line 16)	\$ 2,691.13
Average Expenses (from Schedule J, Line 18)	\$ 2,689.00

### State the following:

Current Monthly Income (from Form 22A Line 12; or,

Form 22B Line 11; or, Form 22C Line 20)

1. Total from Schedule D, "UNSECURED PORTION, IF ANY" column		\$ 2,375.00
2. Total from Schedule E, "AMOUNT ENTITLED TO PRIORITY" column	\$ 2,000.00	
3. Total from Schedule E, "AMOUNT NOT ENTITLED TO PRIORITY, IF ANY" Column		\$0
4. Total from Schedule F		\$ 60,770.00
5. Total of non-priority unsecured debt (sum of 1,3 and 4)		\$ 63,145.00

\$4,383.89

#### Page 8 of 46 Document UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Jose Antonio Lopez and Patricia Lopez, Debtors

### **SCHEDULE A - REAL PROPERTY**

Except as directed below, list all real property in which the debtor has any legal, equitable, or future interest, including all property owned as a co-tenant, community property, or in which the debtor has a life estate. Include any property in which the debtor holds rights and powers exercisable for the debtor's own benefit. If the debtor is married, state whether husband, wife, or both own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor holds no interest in real property, write "None" under "Description and Location of Property."

Do not include interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If an entity claims to have a lien or hold a secured interest in any property, state the amount of the secured claim. See Schedule D. If no entity claims to hold a secured interest in the property, write "None" in the column labeled "Amount of Secured Claim."

If the debtor is an individual or if a joint petition is filed, state the amount of any exemption claimed in the amount of any exemption claimed in the property only in Schedule C - Property Claimed as Exempt.

Description and Location of Property	Nature of Debtor's Interest in Property	Husband Wife Joint Or Community	Current Value of Debtors Interest in Property Without Deducting and Secured Claim or Exemption	Amount of Secured Claim
14408 General Dr., Plainfield, IL 60544 (Debtors' residence)	Fee Simple	J	\$ 224,480	\$ 240,000

**Total Market Value of Real Property** 

\$224,480.00 (Report also on Summary of Schedules)

B6A (Official Form 6A) (12/07) Page 1 of 1 PFG Record # 457789

## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Jose Antonio Lopez and Patricia Lopez, Debtors

### SCHEDULE B - PERSONAL PROPERTY

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "x" in the appropriate position in the column labled "None." If additional space is needed in any category, attach a separate sheet properly identified with the case name, case number, and the number of the category. If the debtor is married, state whether husband, wife, or both own the property by placing an "H," "W," "J," or "C" in the column labeled "HWJC." If the debtor is an individual or a joint petition is filed, state the amount of any exemptions claimed only in Schedule C - Property Claimed as Exempt.

#### Do not list interest in executory and unexpired leases on this schedule. List them in Schedule G.

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property." In providing the information in this schedule, do not include the name or address of a minor child. Simpy state a "minor child."

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property." If the property is being held for a minor child, simply state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

Type of Property	NONE	Description and Location of Property	H W J C	Debtor's Propert Deduc	ot Value of s Interest in ty, Without cting Any d Claim or
01. Cash on Hand	X				
02. Checking, savings or other financial accounts, certificates of deposit or shares in banks, savings and loan, thrift, building and loan, and homestead associations or credit unions, brokerage houses, or cooperatives.					
		Chase - checking - no balance kept	J	1	None
		National City - checking	J	\$	100
03. Security Deposits with public utilities, telephone companies, landlords and others.	X				
04. Household goods and furnishings, including audio, video, and computer equipment.		Household goods; TV, VCR, stereo, sofa, vacuum, table, chairs, lamps, TV Stand, bedroom sets, washer/dryer, stove, refrigerator, microwave, pots/pans, dishes/flatware	J	\$	2,000
05. Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.		Books, Compact Discs, Tapes/Records, Family Pictures	J	\$	125
06. Wearing Apparel		-			
		Necessary wearing apparel.	J	\$	225
07. Furs and jewelry.					
		Earrings, watch, costume jewelry, wedding rings	J	\$	200
08. Firearms and sports, photographic, and other hobby equipment.	X				
09. Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.	X				

### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

SCH	ΙΕΓ	OULE B - PERSONAL PROPERTY		
Type of Property	N O N E	Description and Location of Property	C H M	Current Value of Debtor's Interest in Property, Without Deducting Any Secured Claim or
10. Annuities. Itemize and name each issuer.	X			
11. Interests in an educational IRA as defined in 26 U.S.C 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. 529(B)(1). Give particulars. (File separately the records(s) of any such interest(s). 11 U.S.C. 521(c); Rule 1007(b)).	X			
12. Interest in IRA,ERISA, Keogh, or other pension or profit sharing plans. Give particulars	X			
13. Stocks and interests in incorporated and unincorporated businesses.	X			
14. Interest in partnerships or joint ventures. Itemize. Itemize.	X			
15. Government and corporate bonds and other negotiable and non-negotiable instruments.	X			
16. Accounts receivable	X			
17. Alimony, maintenance, support and property settlements to which the debtor is or may be entitled	X			
18. Other liquidated debts owing debtor including tax refunds. Give particulars.	X			
19. Equitable and future interests, life estates, and rights of power exercisable for the benefit of the debtor other than those listed in Schedule A - Real Property.	X			
20. Contingent and Non-contingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.	X			
21. Other contingent and unliquidated claims of every nature, including tax refunds, counter claims of the debtor, and rights to setoff claims. Give estimated value of each.	X			
22. Patents, copyrights and other intellectual property. Give particulars.	X			
23. Licenses, franchises and other general intangibles.	X			
24. Customer list or other compilations containing personally identifiable information (as defined in 11 USC 101 41A provided to the debtor by individuals in connection with obtaining a product or service from the debtor primarily for personal, family, or household purposes	X			
PFG Record # <b>457789</b>		В6В (О	fficial Form 6E	3) (12/07) Page 2 of 3

# UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

SCHEDULE B - PERSONAL PROPERTY						
Type of Property	N O N E	Description and Location of Property		Debtor's Propert Deduc	t Value of Interest in y, Without ting Any d Claim or	
25. Autos, Truck, Trailers and other vehicles and accessories.						
		1997 Ford Econoline van - over 110,000 miles	J	\$	500	
		Citizens CAF - 2005 Mitsubishi Spyder - over 60,000 miles	w	\$	6,625	
		2005 Pontiac Vibe - over 100,000 miles	J	\$	3,450	
26. Boats, motors and accessories.	X					
27. Aircraft and accessories.	X					
28. Office equipment, furnishings, and supplies.	X					
29. Machinery, fixtures, equipment, and supplie used in business.	X					
30. Inventory	X					
31. Animals	X					
32. Crops-Growing or Harvested. Give particulars.	X					
33. Farming equipment and implements.	X					
34. Farm supplies, chemicals, and feed.	X					
35. Other personal property of any kind not already listed. Itemize.						
		Westgate Resorts - time share - SURRENDERING	J	\$	10,000	
		Total (Report also on Summary of Schedules)		\$2	3,225	

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### NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

SCHEDULE C - PROPERTY CLAIMED EXEMPT							
Debtor claims the exemptions to which debtor is entitled under: (Check one box)  11 U.S.C. § 522(b)(2)  11 U.S.C. § 522(b)(3)		Check if debtor claims a homestead exemption that exceeds \$136,875					

Description of Property	Specify Law Providing Each Exemption	Value of Claimed Exemption	Current Value of Property without Deducting Exemption
00. Real Property	705 11 00 5/40 004	¢ 20.000	
14408 General Dr., Plainfield, IL 60544 (Debtors' residence)	735 ILCS 5/12-901	\$ 30,000	\$ 224,480
02. Checking, savings or other financial accounts, certificates of deposit or shares in banks, savings and loan, thrift, building and loan, and homestead associations or credit unions, brokerage houses, or cooperatives.			
National City - checking	735 ILCS 5/12-1001(b)	\$ 100	\$ 100
04. Household goods and furnishings, including audio, video, and computer equipment.			
Household goods; TV, VCR, stereo, sofa, vacuum, table, chairs, lamps, TV Stand, bedroom sets, washer/dryer, stove, refrigerator, microwave, pots/pans, dishes/flatware	735 ILCS 5/12-1001(b)	\$ 2,000	\$ 2,000
05. Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.			
Books, Compact Discs, Tapes/Records, Family Pictures	735 ILCS 5/12-1001(a)	\$ 125	\$ 125
06. Wearing Apparel			
Necessary wearing apparel.	735 ILCS 5/12-1001(a),(e)	\$ 225	\$ 225
07. Furs and jewelry.			
Earrings, watch, costume jewelry, wedding rings	735 ILCS 5/12-1001(a),(e)	\$ 200	\$ 200
25. Autos, Truck, Trailers and other vehicles and accessories.			
2005 Pontiac Vibe - over 100,000 miles	735 ILCS 5/12-1001(c) 735 ILCS 5/12-1001(b)	\$ 2,400 \$ 1,050	\$ 3,450
1997 Ford Econoline van - over 110,000 miles	735 ILCS 5/12-1001(c)	\$ 2,400	\$ 500
PFG Record # <b>457789</b>		ial Form 6C) (12/	 07)

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### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Jose Antonio Lopez and Patricia Lopez, Debtors

#### SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number of all entities holding claims secured by property of the debtor as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. List creditors holding all types of secured interests such as judgment liens, garnishments, statutory liens, mortgages, deeds of trust, and other security interests.

List creditors in alphabetical order to the extent practicable. If a minor child is the creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). If all secured creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Total the columns labeled "Amount of Claim Without Deducting Value of Collateral" and "Unsecured Portion, if Any" in the boxes labeled "Total(s) on the last sheet of the completed schedule. Report the total from the column labeled "Amount of Claim Without Deducting Value of Collateral" also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report the total from the column labeled "Unsecured Portion, if Any" on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding unsecured claims to report on this Schedule D.

Amount of \* Date Claim was Incured Codebtor Claim Unsecured \* Nature of Lien W **Creditor's Name and Mailing Address** Without Portion, If \*Value of Property Subject to Lien Deducting **Including Zip and Account Number** Any \*Description of Property (See Instructions Above) C Value of Dates: 7/15/2005 **Citizens CAF** 9,000 \$ 2,375 Nature of Lien: Lien on Vehicle - PMSI Attn: Bankruptcy Dept. Market Value: \$ 6,625 480 Jefferson Blvd Intention: Reaffirm 524 (c) Warwick RI 02886 \*Description: Citizens CAF - 2005 Acct No.: 2713165963 Mitsubishi Spyder - over 60.000 miles Dates: 2006 **National City Bank** 60.000 \$0 Nature of Lien: Mortgage - Second Attn: Bankruptcv Dept. Market Value: \$ 224,480 4661 E Main St Intention: Reaffirm 524 (c) Columbus OH 43213

\*Description: 14408 General Dr., Plainfield,

IL 60544 (Debtors' residence)

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Acct No.:

8334

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In re

Jose Antonio Lopez and Patricia Lopez, Debtors

Creditor's Name and Mailing Address Including Zip and Account Number (See Instructions Above)	Codebtor	C A H	* Date Claim was Incured  * Nature of Lien  *Value of Property Subject to Lien  *Description of Property	Contingent	Unliquidated	Disputed	Amount of Claim Without Deducting Value of	Unsecured Portion, If Any
3 Wells Fargo Home Mortgage Attn: Bankruptcy Dept. 8480 Stagecoach Cir Frederick MD 21701 Acct No.: 7080198082976		J	Dates: 2005 Nature of Lien: Mortgage Market Value: \$ 224,480 Intention: Reaffirm 524 (c) *Description: 14408 General Dr., Plainfield, IL 60544 (Debtors' residence)				\$ 180,000	\$ 0

### Law Firm(s) | Collection Agent(s) Representing the Original Creditor

Pierce & Associates Attn: Bankruptcy Department 1 N. Dearborn St. #1300 Chicago IL 60602

Clerk, Twelfth Judical Distric Doc #09CH 1079 14 W. Jefferson St. Joliet IL 60432

4 Westgate Resorts Bankruptcy Department 7450 Sandlake Commons Blvd. Orlando FL 32819 Acct No.: 1023	J	Dates: 3/24/05 Nature of Lien: Lien on Time Share - PMSI Market Value: \$ 10,000 Intention: Surrender *Description: Westgate Resorts - time share - SURRENDERING			\$	10,000	\$ 0
--	---	--	--	--	----	--------	------

**Total** 

\$ 259,000

\$ 2,375

(Report also on Summary of Schedules.) (if applicatble, report also on Statistical Summary of Certain Liabilities and Related Data.)

# Document Page 15 of 46 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Jose Antonio Lopez and Patricia Lopez, Debtors

### SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

A complete list of claims entitled to priority, listed separately by type of priority, is to be set forth on the sheets provided. Only holders of unsecured claims entitled to priority should be listed in this schedule. In the boxes provided on the attached sheets, state the name, mailing address, including zip code, and last four digits of the account number, if any, of all entities holding priority claims against the debtor or the property of the debtor, as of the date of the filing of the petition. Use a separate continuation sheet for each type of priority and label each with the type of priority.

The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H-Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of claims listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all claims listed on this Schedule E in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules.

Report the total of amounts entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts who file a case under chapter 7 or 13 report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Report the total of amounts not entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts not entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors

	Ch	neck this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.
7	TYPES	OF PRIORITY CLAIMS (Check the appropriate box(es) below if claims in that category are listed on the attached sheets)
	Clair resp	mestic Support Obligations ms for domestic support that are owed to or recoverable by a spouse, former spouse, or child of the debtor, or the parent, legal guardian, or consible relative of such a child, or a governmental unit to whom such a domestic support claim has been assigned to the extent provided in J.S.C. § 507(a)(1).
		ensions of Credit in an involuntary case ms arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but bfore the earlier of appointment of a trustee or the order for relief. 11 U.S.C. § 507(a)(3).
	Wag   Quali	ges, salaries, and commissions ges, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to lifying independent sales representatives up to \$10,950* per person earned within 180 days immediately preceding the filing of the original tion, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).
	∟∟ Mon	ntributions to employee benefit plans new owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the sation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(5).
		tain farmers and fishermen ms of certain farmers and fishermen, up to \$5,400* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(6).
	LL Clair	posits by individuals ms of individuals up to \$2,425* for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, were not delivered or provided. 11 U.S.C. § 507(a)(7).
	_	tes and certain other Debts Owed to Governmental Units es, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8).
	LL Clair	mmitments to maintain the capital of insured depository institution ms based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors le Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507
	Clair Clair	ims for death or personal injury while debtor was intoxicated ms for death or personal injury resulting from the operation of a motor vehicle or vessel while the debtor was intoxicated from using hol, a drug, or another substance. 11 U.S.C. § 507(a)(10).

\* Amounts are subject to adjustment on April 10, 2010, and every three years thereafter with respect to cases commenced on or after the date of adju

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# Document Page 16 of 46 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

Jose Antonio Lopez and Patricia Lopez, Debtors

In re

Creditor's Name, Mailing Address Including Zip Code and Account Number (See Instructions Above)	Codebtor	H W J C	Date Claim Was Incured and Consideration For Claim	Contingent	Unliquidated	Disputed	nount Claim	Eı	nount ntitled to riority
1 IRS Priority Debt Attn: Bankruptcy Dept. Box 21126 Philadelphia PA 19114		J	Reason: Federal Income Tax  Dates: 2007				\$ 2,000	\$	2,000
Account No. 1023									

**Total Amount of Unsecured Priority Claims** 

(Report also on Summary of Schedules)

\$ 2,000

\$ 2,000

### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Jose Antonio Lopez and Patricia Lopez / Debtors

### SCHEDULE F - CREDITORS HOLDING UNSECURED NON-PRIORITY CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number, of all entities holding unsecured claims without priority against the debtor or the property of the debtor, as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). Do not include claims listed in Schedules D and E. If all creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts filing a case under chapter 7, report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding unsecured claims to report on this Schedule F.

Creditor's Name, Mailing Address Including Zip Code and Account Number (See Instructions Above)	Codebtor	C A H	Date Claim Was Incurred and Consideration For Claim. If Claim is Subject to Setoff, So State	Contingent	Unliquidated	Disputed	Amount of Claim
1 Archer Heights Credit Union Bankruptcy Department 6554 W. Archer Ave. Chicago IL 60639 Acct #: 4755 7400 8222 3470		W	Dates: 2008 Reason: Credit Card or Credit Use				\$ 8,200

Law Firm(s) | Collection Agent(s) Representing the Original Creditor

Clerk, First Mun Div Doc #09M1 158034 50 W. Washington St., Rm. 1001 Chicago IL 60602

Albert Law Firm Bankruptcy Department 205 W. Randolph St., #920 Chicago IL 60606

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# Document Page 18 of 46 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

Jose Antonio Lopez and Patricia Lopez / Debtors

In re

SCHEDULE F - CREDITORS HOLDING UNSECURED NON-PRIORITY CLAIMS nliquidated Contingent **Date Claim Was Incurred and** Disputed Codebtor Creditor's Name, Mailing Address Including **Amount of** w Consideration For Claim. **Zip Code and Account Number** Claim J If Claim is Subject to Setoff, So State (See Instructions Above) C **Archer Heights Credit Union** Н Dates: 2004-09 **Bankruptcy Department** Reason: Credit Card or Credit Use 2,300 6554 W. Archer Ave. Chicago IL 60639 Acct #: 4755 7400 8163 6631 Law Firm(s) | Collection Agent(s) Representing the Original Creditor Visa **Bankruptcy Department** PO Box 4521 Carol Stream IL 60197 **BMG Music Service** Dates: 2008-2008 C/O National Credit Soluti Reason: Credit Card or Credit Use \$ 200 Po Box 15779 Oklahoma City OK 73155 Acct #: 8721891359 Law Firm(s) | Collection Agent(s) Representing the Original Creditor **BMG Music** Attn: Bankruptcy Dept. Box 91160 Indianapolis IN 46291 Carson/HSBC W Dates: 2007-09 Attn: Bankruptcy Dept. Reason: Credit Card or Credit Use 2,000 Po Box 15521 Wilmington DE 19805 Acct #: 2112010100125582 Certified Services, Inc. Dates: 2004-09 Attn: Bankruptcy Dept. Reason: Medical Debt 200 \$ 1733 Washington St Ste 2 Waukegan IL 60085 Acct #: 23121Q1

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### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Jose Antonio Lopez and Patricia Lopez / Debtors

	SCHEDULE F - CREDITORS HOLDING UNSECURED NON-PRIORITY CLAIMS									
Cı	reditor's Name, Mailing Address Including Zip Code and Account Number (See Instructions Above)	Codebtor	H W J C	Date Claim Was Incurred and Consideration For Claim. If Claim is Subject to Setoff, So State	Contingent	Unliquidated	Disputed	Amount of Claim		
6	Chase Attn: Bankruptcy Dept. Po Box 15298 Wilmington DE 19850		Н	Dates: 2005-09 Reason: Credit Card or Credit Use				\$ 8,500		
7	Acct #: 4266 8410 3819 4120  Chase Attn: Bankruptcy Dept. Po Box 15298		w	Dates: 2008-09 Reason: Credit Card or Credit Use				\$ 1,700		

SCHEDIT E E CREDITORS HOLDING LINSECLIDED NON DRIODITY OF AIMS

### Law Firm(s) | Collection Agent(s) Representing the Original Creditor

Enhanced Recovery Corp. Bankruptcy Department 8014 Bayberry Road Jacksonville FL 32256

Wilmington DE 19850

Acct #: 4266 8411 8997 2019

8	Chase Attn: Bankruptcy Dept. Po Box 15298 Wilmington DE 19850	w	Dates: 2005-0 Reason: Credit	9 Card or Credit Use		\$ 5,000
	Acct #: 4266 8410 3822 3739					

### Law Firm(s) | Collection Agent(s) Representing the Original Creditor

NCO Financial Systems, Inc Bankruptcy Department 507 Prudential Rd. Horsham PA 19044

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### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Jose Antonio Lopez and Patricia Lopez / Debtors

### SCHEDULE F - CREDITORS HOLDING UNSECURED NON-PRIORITY CLAIMS

Creditor's Name, Mailing Address Including Zip Code and Account Number (See Instructions Above)	Codebtor	H W J	Date Claim Was Incurred and Consideration For Claim. If Claim is Subject to Setoff, So State	Contingent	Unliquidated	Disputed	 unt of aim
9 Chase Bankruptcy Department 800 Brooksedge Blvd. Westerville OH 43081 Acct #: 5888 9631 0312 1385		W	Dates: 2004-09 Reason: Credit Card or Credit Use				\$ 600

### Law Firm(s) | Collection Agent(s) Representing the Original Creditor

Viking Collection Service, Inc Bankruptcy Department 7500 Office Ridge Circle Eden Prairie MN 55344

10 Chase/Toys R Us Attn: Bankruptcy Dept. Po Box 15298 Wilmington DE 19850 Acct #: 5888 9631 0547 8122	H Dates: 2008-09 Reason: Credit Card	or Credit Use	\$ 800
11 Chase/Toys R Us Attn: Bankruptcy Dept. Po Box 15298 Wilmington DE 19850 Acct #: 8334	W Dates: 2007-09 Reason: Credit Card	or Credit Use	\$ 600
12 <u>Discover Bank</u> Attn: Bankruptcy Dept. Po Box 15316 Wilmington DE 19850 Acct #: 8334	W Dates: 2007-09 Reason: Credit Card	or Credit Use	\$ 5,700

### Law Firm(s) | Collection Agent(s) Representing the Original Creditor

Baker & Miller, PC Bankruptcy Department 29 N. Wacker Dr., 5th floor Chicago IL 60606

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Jose Antonio Lopez and Patricia Lopez / Debtors

In re

SCHEDULE F - CREDITORS	S H	OL	DING UNSECURED NON-PR	IO	RIT	ΓΥ	CLAIMS
Creditor's Name, Mailing Address Including Zip Code and Account Number (See Instructions Above)	Codebtor	C H M	Date Claim Was Incurred and Consideration For Claim. If Claim is Subject to Setoff, So State	Contingent	Unliquidated	Disputed	Amount of Claim
13 Equifax Attn: Bankruptcy Dept. PO Box 740241 Atlanta GA 30374 Acct #: XXXXX1023			Dates: 2009 Reason: Notice Only				\$ 0
14 Experian Attn: Bankruptcy Dept. PO Box 2002 Allen TX 75013 Acct #: XXXXX1023			Dates: 2009 Reason: Notice Only				\$ 0
15 JC Penney Bankruptcy Dept. PO Box 960090 Orlando FL 32896 Acct #: 248 530 554 01		Н	Dates: 2004-09 Reason: Credit Card or Credit Use				\$ 3,200
16 JC Penney Bankruptcy Department PO Box 960090 Orlando FL 32896 Acct #: 431 220 121 51		w	Dates: 2004-09 Reason: Credit Card or Credit Use				\$ 500
17 Kohls/Chase Attn: Bankruptcy Dept. N56 W 17000 Ridgewood Dr Menomonee Falls WI 53051 Acct #: 038 1918 903		w	Dates: 2004-09 Reason: Credit Card or Credit Use				\$ 2,600
18 Macy's/DSNB Attn: Bankruptcy Dept. 9111 Duke Blvd Mason OH 45040 Acct #: 43 802 593 431 0		w	Dates: 2006-09 Reason: Credit Card or Credit Use				\$ 2,600
19 <u>Sam's Club</u> Attn: Bankruptcy Dept. Po Box 981400 El Paso TX 79998 Acct #: 771 4 10 0190697755		w	Dates: 2002-09 Reason: Credit Card or Credit Use				\$ 120

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In re

Jose Antonio Lopez and Patricia Lopez / Debtors

SCHEDULE F - CREDITORS HOLDING UNSECURED NON-PRIORITY CLAIMS							
Creditor's Name, Mailing Address Including Zip Code and Account Number (See Instructions Above)	Codebtor	C H M	Date Claim Was Incurred and Consideration For Claim. If Claim is Subject to Setoff, So State	Contingent	Unliquidated	Disputed	Amount of Claim
20 <u>Sears</u> C/O LVNV Funding LLC Po Box 740281 Houston TX 77274 Acct #: 5121 0797 1817 2908		w	Dates: 2004-09 Reason: Credit Card or Credit Use				\$ 2,000
Law Firm(s)   Collection Agent	(s) F	Repi	resenting the Original Creditor				
Sears Bankruptcy Recovery Citibank USA Sears PO Box 20363 Kansas City MO 64195  21 Sears/CBSD Attn: Bankruptcy Dept. Po Box 6189 Sioux Falls SD 57117		Н	Dates: 2007-09 Reason: Credit Card or Credit Use				\$ 2,300
Acct #: 5121 0719 6168 7591							
Law Firm(s)   Collection Agent( Sears Bankruptcy Recovery Citibank USA Sears PO Box 20363 Kansas City MO 64195	(s) I	Repi	resenting the Original Creditor				
22 <u>T-Mobile</u> Bankruptcy Department PO Box 742596 Cincinnati OH 45274-2596		Н	Dates: 2004-09 Reason: Utility Bills/Cellular Service				\$ 250
Acct #: 704264146							

### Law Firm(s) | Collection Agent(s) Representing the Original Creditor

GC Services Bankruptcy Department 6330 Gulfton Houston TX 77081

### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Jose Antonio Lopez and Patricia Lopez / Debtors

SCHEDULE F - CREDITORS HOLDING UNSECURED NON-PRIORITY CLAIMS									
	Name, Mailing Address Including Code and Account Number (See Instructions Above)	Codebtor	H W J C	Date Claim Was Incurred and Consideration For Claim. If Claim is Subject to Setoff, So State	Contingent	Unliquidated	Disputed	-	unt of laim
PO Bo Chest	Bankruptcy Dept. ox 1000 ter PA 19022 #: XXXXX1023			Dates: 2009 Reason: Notice Only				\$	0
Bankr PO Bo Bloom	on Wireless ruptcy Department ox 3397 nington IL 61702 #: 048046453600001		W	Dates: 2004-09 Reason: Utility Bills/Cellular Service				\$	800
PO Bo Atlant	Mart Tuptcy Department ox 530927 a GA 30353 #: 6032 2033 8250 6037		Н	Dates: 2004-09 Reason: Credit Card or Credit Use				\$	700
Attn: I Po Bo El Pas	Mart/GEMB Bankruptcy Dept. bx 981400 so TX 79998 #: 6011310022778192		w	Dates: 2005-09 Reason: Credit Card or Credit Use				\$	9,900

### Law Firm(s) | Collection Agent(s) Representing the Original Creditor

PFG of Minnesota Bankruptcy Department 7825 Washington Ave. S, #310 Minneapolis MN 55439

**Total Amount of Unsecured Claims** 

(Report also on Summary of Schedules)

\$60,770.00

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### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Jose Antonio Lopez and Patricia Lopez, Debtors

### SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES

Describe all executory contracts of any nature and all unexpired leases of real or personal property. Include any timeshare interests. State nature of debtor's interest in contract, i.e., "Purchaser," "Agent," etc. State whether debtor is the lessor or lessee of a lease. Provide the names and complete mailing addresses of all other parties to each lease or contract described. If a minor child is a party to one of the leases or contracts, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).



Check this box if debtor has no executory contracts or unexpired leases.

Name and Mailing Address, Including Zip Code, of Other Parties to Lease or Contract. Description of Contract or Lease and Nature of Debtor's Interest. State whether Lease is for Non-Residential Real Property. State Contract Number or Any Government Contract.

[x] None

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In re

Jose Antonio Lopez and Patricia Lopez, Debtors

### **SCHEDULE H - CODEBTORS**

Provide the information requested concerning any person or entity, other than a spouse in a joint case, that is also liable on any debts listed by the debtor in the schedules of creditors. Include all guarantors and co-signers. If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within the eight-year period immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state, commonwealth, or territory. Include all names used by the nondebtor spouse during the eight years immediately preceding the commencement of this case. If a minor child is a codebtor or a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

Check this box if debtor has no codebtors.

Name and Address of CoDebtor	Name and Address of the Creditor
[x] None	

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### UNITED STATES BARKRUPTEY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Jose Antonio Lopez and Patricia Lopez, Debtors

Bankruptcy Docket #:

### SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)

The column labeled "Spouse" must be completed in all cases filed by joint debtors and by every married debtor, whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. Do not state the name of any minor child. The average monthly income calculated on this form may differ from the current monthly income calculated on Form 22A, 22B, or 22C.

Debtor's Marital	DEPENDENTS OF DEB	TOR AND SPOUSE ~ RELATIONSHIP AND AGE
Status: Married	19, daughter 16, daughter 1, daug	hter
	DEBTOR EMPLOYMENT	SPOUSE EMPLOYMENT
Occupation:	Truck driver	Unemployed
Name of Employer:	Schneider National	
Years Employed	approx. 3 months	
Employer Address:	PO Box 2545	
City, State, Zip	Green Bay, WI 54306	,

INCOME: (Estimate of average or projected monthly income at time case filed.)	DEBTOR	SPOUSE
1. Monthly Gross Wages, Salary, and commissions	\$ 1,770.17	\$ 0.00
(Prorate if not paid monthly.)  2. Estimated Monthly Overtime	\$ 0.00	\$ 0.00
3. SUBTOTAL	\$ 1,770.17	\$ 0.00
4. LESS PAYROLL DEDUCTIONS		
a. Payroll Taxes and Social Security	\$ 350.87	\$ 0.00
b. Insurance	\$ 0.00	\$ 0.00
c. Union Dues	\$ 0.00	\$ 0.00
d. Other (Specify) Pension:	\$ 0.00	\$ 0.00
Voluntary 401 Contributions:	\$ 0.00	\$ 0.00
Child Support:	\$ 0.00	\$ 0.00
Life Insurance, Uniforrms, 401K Loan:	\$ 0.00	\$ 0.00
5. SUBTOTAL OF PAYROLL DEDUCTIONS	\$ 350.87	\$ 0.00
6. TOTAL NET MONTHLY TAKE HOME PAY	\$ 1,419.30	\$ 0.00
7. Regular income from operation of business or profession or farm	\$ 0.00	\$ 0.00
8. Income from real property	\$ 0.00	\$ 0.00
Interest and dividends	\$ 0.00	\$ 0.00
10. Alimony, maintenance or support payments payable to the debtor for the debtor's use or that of dependents listed above.	\$ 0.00	\$ 0.00
11. Social Security or government assistance (Specify)	\$ 0.00	\$ 0.00
12. Pension or retirement income	\$ 0.00	\$ 0.00
13. Other monthly income & & &	\$ 0.00	\$ 0.00
Unemployment Income	\$ 0.00	\$ 1,271.83
14. SUBTOTAL OF LINES 7 THROUGH 13		
15. AVERAGE MONTHLY INCOME (Add amounts shown on lines 6 and 14)	\$ 1,419.30	\$ 1,271.83
16. COMBINED AVERAGE MONTHLY INCOME (Combine column totals fromlin	\$ 2,6	691.13
if there is only one debtor repeat total reported on line 15.)		and if applicable, an Statistical Summany

Report also on Summary of Schedules and, if applicable, on Statistical Summary of Certain Liabilities and Related Data.)

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<sup>17.</sup> Describe any increase or decrease in income reasonably anticipated to occur within the year following the filing of this document: **None** 

### UNITED STATES BARKRUPTEN COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Jose Antonio Lopez and Patricia Lopez, Debtors

Bankruptcy Docket #:

SCHEDIII E I CURDENT EVDENSES (	DE INDIVIDUAL DERTOR	21
SCHEDULE J - CURRENT EXPENSES C  Complete this schedule by estimating the average monthly expenses of the deb payments made bi-weekly, quarterly, semi-annually, or annually to show monthly rate	otor and the debtor's family at time case filed. Pr	•
Check box if joint petition is filed & debtor's spouse maintains a separate household.		eled "Spouse".
<ol> <li>Rent or home mortgage payment (include lot rented for mobile ho</li> </ol>	ome)	\$ 1,369.00
	insurance included? [] Yes [x] No	<u> </u>
2. Utilities: a. Electricity and Heating Fuel		\$ 155.00
b. Water, Sewer, Garbage		\$ 25.00
c. Cellphone, Internet		\$ 60.00
d. Other Home Phone and Cable Television		\$ 50.00
3. Home Maintenance (repairs and upkeep)		\$ -
4. Food		\$ 260.00
5. Clothing		\$ 20.00
6. Laundry and Dry Cleaning		\$ 20.00
7. Medical and Dental Expenses		\$ -
8. Transportation (not including car payments) Gas, Tolls/Parking,		\$ 70.00
9. Recreation, Clubs and Entertainment, Newspapers, Magazines, e	etc.	\$ -
10. Charitable Contributions	4. \	\$ -
<ol> <li>Insurance (not deducted from wages or included in home mortgage)</li> <li>Homeowner's or Renter's</li> </ol>	ge payments)	\$ 60.00
b. Life		\$ -
c. Health		<b>\$</b> -
d. Auto		\$ 90.00
e. Other		<b>\$</b> -
12. Taxes (not deducted from wages or included in home mortgage p	payments)	
(Specify) Federal or State Tax Repayments, Real Estate Tax	,	\$ -
13. Installment Payments: (In Chapter 11, 12, and 13 cases, do not lis	st payments to be included in plan)	\$487.00
b. Reaffirmation Payments		\$ -
c. Other \$-		<b>\$</b> -
14. Alimony, maintenance and support paid to others		<b>\$</b> -
15. Payments for support of additional dependents not living at your h	nome	<b>\$</b> -
16. Regular expenses from operation of business, profession, or farm	n (attach detailed statement)	\$ -
17. Other: Haircuts, Hygiene, Newspaper/Mags & Tuition, Books Eyecare, Meds Postage/Banking GLS Repay:		
\$20.00 \$3.00 \$0.00	\$ - \$ -	\$23.00
<b>18. AVERAGE MONTHLY EXPENSES</b> (Total lines 1-17. Report also on Sur the Stastical of Summary of Certain Liabilities and Related Data.	mmary of Schedules and if applicable, on	\$ 2,689.00
19. Describe any increase/decrease in expenditures anticipated to oc <i>None</i>	ccur within the year following the filing t	his document:
20. STATEMENT OF MONTHLY NET INCOME a. Average month	ly income from Line 15 of Schedule I	\$ 2,691.13
_	lly expenses from Line 18 above	\$ 2,689.00
c. Monthly net ince	· ·	\$ 2.13
d. Total amount to	be paid into plan monthly	<b>\$</b> -

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### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Jose Antonio Lopez and Patricia Lopez, Debtors

Bankruptcy Docket #:

### DECLARATION CONCERNING DEBTOR'S SCHEDULES

#### DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

I declare under penalty of perjury that I have read the foregoing summary and schedules, and that they are true and correct to the best of my knowledge, information and belief. I have disclosed on the foregoing schedules all property or assets I may have an interest in, the correct value of it, and every debt I may be liable for. I accept the risk that some debts won't be discharged. I have been advised of the difference between Chapter 7 and Chapter 13, income & expense concepts, budgeting, and have made full disclosure.

Debtor's attorney has advised debtor that creditors can object to discharge of their debt on a variety of grounds including fraud, recent credit usage, divorce and support obligations and reckless conduct.

Debtor's attorney has advised debtor that non-dischargeable debts such as taxes, student loans, fines by government units and liens on property of debtor are generally unaffected by bankruptcy.

Dated:	10/24/2009	/s/ Jose Antonio Lopez	X Date & Sign
		Jose Antonio Lopez	
Dated:	10/24/2009	/s/ Patricia Lopez	X Date & Sign
		Patricia Lopez	

if joint case, both spouses must sign. If NOT a joint case the joint debtor will NOT appear.

Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. Sections 152 and 3571

#### DECLARATION AND SIGNATURE OF NON-ATTORNEY BANKRUPTCY PETITION PREPARER (See 11 U.S.C. 110)

Non-Attorney Petition Preparers were **NOT** used to prepare any portion of this petition. All documents were produced by the Law Offices of Peter Francis Geraci.

THIS SECTION ONLY APPLIES TO PETITION PREPARERS AND HAS NOTHING TO DO WITH THIS CASE

### DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF A CORPORATION OR PARTNERSHIP

This is a personal bankruptcy for an individual(s) and **NOT** a corporation or partnership.

THIS SECTION ONLY APPLIES TO CORPORTATIONS & PARTNERSHIPS AND HAS NOTHING TO DO WITH THIS CASE

Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. Sections 152 and 3571

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### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Jose Antonio Lopez and Patricia Lopez, Debtors

### STATEMENT OF FINANCIAL AFFAIRS

This statement is to be completed by every debtor. Spouses filing a joint petition may file a single statement on which the information for both spouses is combined. If the case is filed under chapter 12 or chapter 13, a married debtor must furnish information for both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. An individual debtor engaged in business as a sole proprietor, partner, family farmer, or self-employed professional, should provide the information requested on this statement concerning all such activities as well as the individual's personal affairs. To indicate payments, transfers and the like to minor children, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

Questions 1 - 18 are to be completed by all debtors. Debtors that are or have been in business, as defined below, also must complete Questions 19 - 25. **If the answer to an applicable question is "None," mark the box labeled "None."** If additional space is needed for the answer to any question, use and attach a separate sheet properly identified with the case name, case number (if known), and the number of the question.

#### **DEFINITIONS**

"In business." A debtor is "in business" for the purpose of this form if the debtor is a corporation or partnership. An individual debtor is "in business" for the purpose of this form if the debtor is or has been, within six years immediately preceding the filing of this bankruptcy case, any of the following: an officer, director, managing executive, or owner of 5 percent or more of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or self-employed full-time or part-time. An individual debtor also may be "in business" for the purpose of this form if the debtor engages in a trade, business, or other activity, other than as an employee, to supplement income from the debtor's primary employment.

"Insider." The term "insider" includes but is not limited to: relatives of the debtor; general partners of the debtor and their relatives; corporations of which the debtor is an officer, director, or person in control; officers, directors, and any owner of 5 percent or more of the voting or equity securities of a corporate debtor and their relatives; affiliates of the debtor and insiders of such affiliates; any managing agent of the debtor. 11 U.S.C. § 101.

#### 01. INCOME FROM EMPLOYMENT OR OPERATION OF BUSINESS:

State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business, including part-time activities either as an employee or in independent trade or business, from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the two years immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT	SOURCE	
2009: \$1,770/month 2008: \$20,000 2007: \$20,000	employment	
Spouse		
AMOUNT	SOURCE	_

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In re

	STATEMENT OF FINA	ANCIAL AFFAIRS	
Spouse			
AMOUNT	SOURCE		
2009: none 2008: \$18,974 2007: \$26,000	employment		
02. INCOME OTHER THAN FROM	M EMPLOYMENT OR OPERATION O	BUSINESS:	
the two years immediately preceding spouse separately. (Married debtor	ed by the debtor other than from emploing the commencement of this case. Gives filing under chapter 12 or chapter 13 parated and a joint petition is not filed.)	ve particulars. If a joint petition is file	ed, state income for each
AMOUNT	SOURCE		
Spouse .			
AMOUNT	SOURCE		
2009: \$1,272/month 2008: none 2007: none	unemployment		
03. PAYMENTS TO CREDITORS:			
Complete a. or b. as appropriate, a	and c.		
	DR(S) WITH PRIMARILY CONSUMER	y proceeding the commencement of	this case if the aggregat
services, and other debts to any cr value of all property that constitute that were made to a creditor on ac an approved nonprofit budgeting a	s or is affected by such transfer is not count of a domestic support obligation and creditor counseling agency. (Marries whether or not a joint petition is filed	or as part of an alternative repayme ed debtors filing under chapter 12 or	nt schedule under a plan chapter 13 must include
services, and other debts to any cr value of all property that constitute that were made to a creditor on ac an approved nonprofit budgeting a	s or is affected by such transfer is not count of a domestic support obligation nd creditor counseling agency. (Marri	or as part of an alternative repayme ed debtors filing under chapter 12 or	nt schedule under a plan chapter 13 must include

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### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Jose Antonio Lopez and Patricia Lopez, Debtors

### STATEMENT OF FINANCIAL AFFAIRS

NONE

b. DEBTOR WHOSE DEBTS ARE NOT PRIMARILY CONSUMER DEBTS: List each payment or other transfer to any creditor made with 90 days immediately preceding the commencement of the case if the aggregate value of all property that constitutes or is affected by such transfer is not less than \$5,000 (Married debtors filing under chapter 12 or chapter 13 must include payments and other transfers by each or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

 Name and Address
 Dates of of Creditor
 Amount Paid or Value of Transfers
 Amount Paid or Value of Transfers

NONE

c. ALL DEBTORS: List all payments made within 1 year immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments be either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name & Address of CreditorDatesAmount Paid or Value ofAmount& Relationship to Debtorof PaymentsTransfersStill Owing

#### 04. SUITS AND ADMINISTRATIVE PROCEEDINGS, EXECUTIONS, GARNISHMENTS AND ATTACHMENTS:

List all lawsuits & administrative proceedings to which the debtor is or was a party within 1 (one) year immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

**STATUS** CAPTION OF **NATURE** COURT SUIT AND OF AGENCY OF OF DISPOSITION CASE NUMBER **PROCEEDING** AND LOCATION Circuit Court for the 12th Wells Fargo Bank v. foreclosure pending **Judicial Circuit, Will County** Jose Lopez and Patricia Lopez, 09-CH-1079 small claims **Cook County Circuit Court Archer Heights Credit** pending Jnion v. Patricia Lopez, 09-M1-158034

NONE

04b. WAGES OR ACCOUNTS GARNISHED: Describe all property that has been attached, garnished or seized under any legal or equitable process within (1) one year preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of PersonDateDescriptionfor Whose Benefit Propertyofand Valuewas SeizedSeizureof Property

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In re

Jose Antonio Lopez and Patricia Lopez, Debtors

05. REPOSSESSION, FOR	RECLOSURES AND RETURNS:		
returned to the seller, within chapter 13 must include inf	en repossessed by a creditor, sold at a foreclos n one year immediately preceding the comment ormation concerning property of either or both s l a joint petition is not filed.)	ement of this case. (Married debt	ors filing under chapter
Name and Address of Creditor or Seller	Date of Repossession, Foreclosure Sale, Transfer or Return	Description and Value of Property	
case. (Married debtors filing	t of property for the benefit of creditors made wg under chapter 12 or chapter 13 must include a	any assignment by either or both s	•
Describe any assignment case. (Married debtors filing petition is filed, unless the solution is filed, unless the solutio	t of property for the benefit of creditors made w g under chapter 12 or chapter 13 must include a spouses are separated and a joint petition is no Date of	any assignment by either or both so filed.)  Terms of  Assignment or	•
Describe any assignment case. (Married debtors filing petition is filed, unless the solution is filed, unless the solutio	t of property for the benefit of creditors made w g under chapter 12 or chapter 13 must include a spouses are separated and a joint petition is no Date	any assignment by either or both so filed.)  Terms of	•
a. Describe any assignment case. (Married debtors filing petition is filed, unless the second Address of Assignee  b. List all property which he preceding the commencer.)	t of property for the benefit of creditors made w g under chapter 12 or chapter 13 must include a spouses are separated and a joint petition is no Date of	Terms of Assignment or Settlement  r court-appointed official within on	spouses whether or not a
a. Describe any assignment case. (Married debtors filing petition is filed, unless the second Address of Assignee  b. List all property which he preceding the commencer.)	t of property for the benefit of creditors made we grunder chapter 12 or chapter 13 must include a spouses are separated and a joint petition is not a Date of Assignment  as been in the hands of a custodian, receiver, or ent of this case. (Married debtors filing under cleans)	Terms of Assignment or Settlement  r court-appointed official within on	spouses whether or not a

NON Χ

> List all gifts or charitable contributions made within one year immediately preceding the commencement of this case except ordinary and usual gifts to family members aggregating less than \$200 in value per individual family member and charitable contributions aggregating less than \$100 per recipient. (Married debtors filing under chapter 12 or chapter 13 must include gifts or contributions by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of Person	Relationship	Date	Description
or	to Debtor,	of	and Value
Organization	If Any	Gift	of Gift

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### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Jose Antonio Lopez and Patricia Lopez, Debtors

### STATEMENT OF FINANCIAL AFFAIRS

NONE

08. LOSSES:

List all losses from fire, theft, other casualty or gambling within one year immediately preceding the commencement of this case or since the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include losses by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Description and Value of Property

Description of Circumstances and, if Loss Was Covered in Whole or in Part by Insurance, Give Particulars

Date of Loss

09. PAYMENTS RELATED TO DEBT COUNSELING OR BANKRUPTCY:

List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of a petition in bankruptcy within one (1) year immediately preceding the commencement of this case.

Name and Address of Payee Date of Payment, Name of Payer if Other Than Debtor 2009 Amount of Money or Description and Value of Property

Payment/Value:

\$2,300.00

Law Offices of Peter Francis Geraci 55 E Monroe St Suite#3400 Chicago,IL 60603

09a. PAYMENTS RELATED TO DEBT COUNSELING OR BANKRUPTCY: List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of a petition in bankruptcy within 1 year immediately preceding the commencement of this case.

Name and Address of Payee Date of Payment, Name of Payer if Other Than Debtor Amount of Money or description and Value of Property

MMI/CCCS 9009 W. Loop S. Houston, TX 77096 Phone 866.983.2227 10/26/09 \$50.00

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### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Jose Antonio Lopez and Patricia Lopez, Debtors

STATEMENT	OF FINANCIAL	<b>AFFAIRS</b>
SIAICMEN	OF FINANCIAL	AFFAIRS

NONE

#### 10. OTHER TRANSFERS

a. List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as security with two (2) years immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of . Describe Property
Transferee, Relationship . Transferred and
to Debtor Date Value Received



10b. List all property transferred by the debtor within ten (10) years immediately preceding the commencement of this case to a self-settled trust or similar device of which the debtor is a beneficiary.

Name of Date(s) Amount and Date
Trust or of of Sale or
other Device Transfer(s) Closing

NONE

### 11. CLOSED FINANCIAL ACCOUNTS:

List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within one (1) year immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filing under chapter 12 or chapter 13 must include information concerning accounts or instruments held by or for either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Type of Account, Last Four Digits Amount and Address of of Account Number, and Amount of Date of Sale or Institution Final Balance Closing

NONE

#### 12. SAFE DEPOSIT BOXES:

List each safe deposit or other box or depository in which the debtor has or had securities, cash, or other valuables within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include boxes or depositories of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of Bank
or Other Depository
Names & Addresses of Those With
Oescription of
Contents
Date of Transfer or
Contents
Surrender, if Any

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In re

	STATEMENT OF FIN	ANCIAL AFFAIRS	3
13. SETOFFS:			
of this case. (Married debtors f	editor, including a bank, against a debt or illing under chapter 12 or chapter 13 mus ss the spouses are separated and a joint	t include information concerning	· · ·
Name and Address	Date	Amount	
of Creditor	of Setoff	of Setoff	_
14. LIST ALL PROPERTY HEI	LD FOR ANOTHER PERSON:	ols.	
Name and Address	Description and	Location	
of Owner	Value of Property	of Property	_
	BTOR(S): see (3) years immediately preceding the code of the description of the commencement of the commen		•
If debtor has moved within thre occupied during that period an of either spouse.	ee (3) years immediately preceding the code vacated prior to the commencement of Name	this case. If a joint petition is file  Dates of	•
If debtor has moved within thre occupied during that period an	ee (3) years immediately preceding the code vacated prior to the commencement of	this case. If a joint petition is file	•
If debtor has moved within thre occupied during that period an of either spouse.	ee (3) years immediately preceding the condition of the commencement of the comme	this case. If a joint petition is file  Dates of	•
If debtor has moved within thre occupied during that period an of either spouse.  Address  16. SPOUSES and FORMER :  If the debtor resides or resided Louisiana, Nevada, New Mexic	ee (3) years immediately preceding the condition of the commencement of the comme	Dates of Occupancy  wealth, or territory (including Ala Visconsin) within eight (8) years	d, report also any separate addre

# Document Page 36 of 46 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

NONE

NONE

X

number.

Name and Address of

Governmental Unit

Jose Antonio Lopez and Patricia Lopez, Debtors

	STATEMENT OF FINA		
7. ENVIRONMENTAL INFOR	RMATION:		
or the purpose of this question	on, the following definitions apply:		
oxic substances, wastes or m	ny federal, state, or local statute or regulation aterial into the air, land, soil surface water, soing the cleanup of the these substances, was	ground water, or other medium, i	
	ility, or property as defined under any Enviro ing, but not limited to, disposal sites.	onmental Law, whether or not pre	esently or formerly owned or
	anything defined as a hazardous waste, haz	ardous or toxic substances, pollu	tant, or contaminant, etc. und
environmental Law.			
7a. List the name and addres	ss of every site for which the debtor has rece	aived nation in writing by a gaven	
		eiveo nonce in willing by a dover	nmental unit that it may be lia
'	violation of an Environmental Law. Indicate		
Environmental Law:	violation of an Environmental Law. Indicate	e the governmental unit, the date	
	Name and Address		
Environmental Law: Site Name and Address		e the governmental unit, the date	of the notice, and, if known, t
Site Name	Name and Address	e the governmental unit, the date  Date	of the notice, and, if known, t Environmental
Site Name and Address  7b. List the name and addres	Name and Address of Governmental Unit	Date of Notice	of the notice, and, if known, t Environmental Law
Site Name and Address  7b. List the name and addres	Name and Address of Governmental Unit	Date of Notice	of the notice, and, if known, t Environmental Law
Site Name and Address  7b. List the name and addres	Name and Address of Governmental Unit	Date of Notice	of the notice, and, if known, t Environmental Law
Site Name and Address  7b. List the name and addres	Name and Address of Governmental Unit  as of every site for which the debtor provided the sental unit to which the notice was sent and	Date of Notice  d notice to a governmental unit of the date of the notice.	of the notice, and, if known, t  Environmental Law  f a release of Hazardous

debtor is or was a party. Indicate the name and address of the governmental unit that is or was a party to the proceeding, and the docket

Status of

Disposition

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Docket

Number

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### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Jose Antonio Lopez and Patricia Lopez, Debtors

STATEMENT OF FINANCIAL AFFA
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NONE	
Х	

#### 18 NATURE, LOCATION AND NAME OF BUSINESS

Name & Last Four Digits of

a. If the debtor is an individual, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was an officer, director, partner, or managing executive of a corporation, partner in a partnership, sole proprietor, or was self-employed in a trade, profession, or other activity either full- or part-time within six (6) years immediately preceding the commencement of this case, or in which the debtor owned 5 percent or more of the voting or equity securities within six (6) years immediately preceding the commencement of this case.

If the debtor is a partnership, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities, within six (6) years immediately preceding the commencement of this case.

If the debtor is a corporation, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities within six (6) years immediately preceding the commencement of this case.

Nature

	3oc. Sec. No./Complete EIN or		of	and
	Other TaxPayer I.D. No.	Address	Business	Ending Dates
X	b. Identify any business listed in su	bdivision a., above, that is "single a	sset real estate" as defined in 11 USC	C 101.
	Name	Address		



The following questions are to be completed by every debtor that is a corporation or partnership and by any individual debtor who is or has been, within six years immediately preceding the commencement of this case, any of the following: an officer, director, managing executive, or owner of more than 5 percent of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership, a sole proprietor, or self-employed in a trade, profession, or other activity, either full- or part-time.

(An individual or joint debtor should complete this portion of the statement only if the debtor is or has been in business, as defined above, within six years immediately preceding the commencement of this case. A debtor who has not been in business within those six years should go directly to the signature page.)

19. BOOKS, RECORDS AND FINANCIAL STATEMENTS:

List all bookkeepers and accountants who within two (2) years immediately preceding the filing of this bankruptcy case kept or supervised the keeping of books of account and records of the debtor.

Name	Dates Services
and Address	Rendered

Beginning

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In re

	STATEMENT OF FIN	ANCIAL AFFAIRS	
19b. List all firms or individuals who within two (2) years immediately preceding the filing of this bankruptcy case have audited account and records, or prepared a financial statement of the debtor.			audited the books
Name	Address	Dates Services Rendered	
	duals who at the time of the commencement of books of account and records are not available	f this case were in possession of the books of and le, explain.	ccount and record
Name	. Address		
	cutions, creditors and other parties, including n n two (2) years immediately preceding the cor  Date Issued	nercantile and trade agencies, to whom a financi nmencement of this case.	al statement was
		e of the person who supervised the taking of ea	ch inventory, and
the dollar amount and base	Inventory	Dollar Amount of Inventory	
of Inventory	Supervisor	(specify cost, market of other basis)	
b. List the name and addr	ress of the person having possession of the re	cords of each of the inventories reported in a., a	bove.
Date of Inventory	Name and Addresses of Custodian of Inventory Records		
21. CURRENT PARTNE	RS, OFFICERS, DIRECTORS AND SHAREH	OLDERS:	
a. If the debtor is a partne	ership, list nature and percentage of interest of	each member of the partnership.	
Name and Address	Nature of Interest	Percentage of Interest	

# Document Page 39 of 46 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

		INANCIAL AFFAIRS	
21b. If the debtor is a corporation, li controls, or holds 5% or more of the		corporation; and each stockholder who directly or indirectly e corporation.	owns,
Name and Address	Title	Nature and Percentage of Stock Ownership	
22. FORMER PARTNERS, OFFIC		EHOLDERS: nership interest of each member of the partnership.	
Name	Address	Date of Withdrawal	
Name and Address	Title	Date of Termination	
and Address  23. WITHDRAWALS FROM A PAR	TNERSHIP OR DISTRIBUTION	Termination  I BY A COPORATION:	
and Address  23. WITHDRAWALS FROM A PAR  If the debtor is a partnership or corp	TNERSHIP OR DISTRIBUTION	Termination	
and Address  23. WITHDRAWALS FROM A PAR  If the debtor is a partnership or corp form, bonuses, loans, stock redemp	TNERSHIP OR DISTRIBUTION	Termination  I BY A COPORATION: stributions credited or given to an insider, including compe	
and Address  23. WITHDRAWALS FROM A PAR  If the debtor is a partnership or corp form, bonuses, loans, stock redemp commencement of this case.  Name and Address of Recipient, Relationship to	TNERSHIP OR DISTRIBUTION poration, list all withdrawals or dotions, options exercised and ar Date and Purpose of Withdrawal	Termination  I BY A COPORATION: stributions credited or given to an insider, including compe y other perquisite during one year immediately preceding to the Amount of Money or Description and value of	

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### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Jose Antonio Lopez and Patricia Lopez, Debtors

### STATEMENT OF FINANCIAL AFFAIRS

NONE

25. PENSION FUNDS:

If the debtor is not an individual, list the name and federal taxpayer identification number of any pension fund to which the debtor, as an employer, has been responsible for contributing at any time within six (6) years immediately preceding the commencement of the case.

Name of TaxPayer
Pension Fund Identification Number (EIN)

### DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

I declare under penalty of perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachment thereto and that they are true and correct.

Dated: 10/24/2009 /s/ Jose Antonio Lopez

X Date & Sign

10/24/2009

/s/ Patricia Lopez

X Date & Sign

Patricia Lopez

**Jose Antonio Lopez** 

Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. Sections 152 and 3571

Dated:

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### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Jose Antonio Lopez and Patricia Lopez / Debtors

### **DEBTOR'S STATEMENT OF INTENTION**

PART A - Debts secured by property of the estate. (Part A must be fully completed for EACH debt which is secured by property of the estate. Attach additional pages if necessary.)

Property No. 1				
Creditor's Name: <b>Citizens CAF</b> Attn: Bankruptcy Dept. 480 Jefferson Blvd Warwick RI 02886	Describe Property Securing Debt: Citizens CAF - 2005 Mitsubishi Spyder - over 60,000 miles			
Property will be (check one):				
□Surrendered	Retained			
If retaining the property, I intend to (check at I	least one):			
□Redeem the property				
■Reaffirm the debt				
□Other. Explain	(for example, avoid lien using 110 U.S.C. §			
522(f)).				
Property is (check one):				
□Claimed as exempt	■Not claimed as exempt			
	1			
Property No. 2 Creditor's Name:	Describe Property Securing Debt:			
National City Bank	14408 General Dr., Plainfield, IL 60544 (Debtors' residence)			
Attn: Bankruptcy Dept.				
4661 E Main St				
Columbus OH 43213				
Property will be (check one):				
□Surrendered	Retained			
If retaining the property, I intend to <i>(check at least one)</i> :				
□Redeem the property				
■Reaffirm the debt				
□Other. Explain	(for example, avoid lien using 110 U.S.C. §			
522(f)).				
Property is (check one):				
□Claimed as exempt	■Not claimed as exempt			

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### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Jose Antonio Lopez and Patricia Lopez / Debtors

□Claimed as exempt

### **DEBTOR'S STATEMENT OF INTENTION** Property No. 3 Creditor's Name: Describe Property Securing Debt: Wells Fargo Home Mortgage 14408 General Dr., Plainfield, IL 60544 (Debtors' residence) Attn: Bankruptcy Dept. 8480 Stagecoach Cir Frederick MD 21701 Property will be (check one): □ Surrendered ■ Retained If retaining the property, I intend to (check at least one): □Redeem the property ■Reaffirm the debt □Other. Explain \_\_\_\_\_\_ (for example, avoid lien using 110 U.S.C. § 522(f)). Property is (check one): ■Claimed as exempt □Not claimed as exempt Property No. 4 Creditor's Name: Describe Property Securing Debt: Westgate Resorts Westgate Resorts - time share - SURRENDERING Bankruptcy Department 7450 Sandlake Commons Blvd. Orlando FL 32819 Property will be (check one): ■Surrendered □ Retained If retaining the property, I intend to (check at least one): □Redeem the property □Reaffirm the debt □Other. Explain (for example, avoid lien using 110 U.S.C. § 522(f)). Property is (check one):

■Not claimed as exempt

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### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Jose Antonio Lopez and Patricia Lopez / Debtors

### **DEBTOR'S STATEMENT OF INTENTION**

PART B - Personal property subject to unexpired leases. (All three columns of Part B must be completed for each unexpired lease. Attach additional pages if necessary.)

Property No. 0	
Lessor's Name:  NONE	Lease will be assumed pursuant to 11 U.S.C. § 365(p)(2): □ Yes □ No

I declare under penalty of perjury that the above indicates my intention as to any property of my estate securing a debt and/or personal property subject to an unexpired lease.

Dated: 10/24/2009 /s/ Jose Antonio Lopez

Dated:

**Jose Antonio Lopez** 

10/24/2009 /s/ Patricia Lopez

**Patricia Lopez** 

X Date & Sign

X Date & Sign

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### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

Jose Antonio Lopez and Patricia Lopez, Debtors

Bankruptcy Docket #:

### DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR - 2016B

1. Pursuant to 11 U.S.C. § 329(a) and Fed. Bankr. P. 2016(b), I certify that I am the attorney for the above named debtor(s) and that compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follows:

7	Fhe compensation paid or promised by the Debtor(s), to the undersigned, is as follows	S:	
F	For legal services, Debtor(s) agrees to pay and I have agreed to accept		\$2,300
F	Prior to the filing of this Statement, Debtor(s) has paid and I have received		\$100
T	he Filing Fee has been paid.	Balance Due	-\$2,200
٦	The source of the compensation paid to me was:		

2.

Debtor(s) Other: (specify)

The source of compensation to be paid to me on the unpaid balance, if any, remaining is:

Debtor(s) Other: (specify)

The undersigned has received no transfer, assignment or pledge of property from the debtor(s) except the following for the value stated: None.

- The undersigned has not shared or agreed to share with any other entity, other than with members of the undersigned's law firm, any compensation paid or to be paid without the client's consent, except as follows: **None.**
- The Service rendered or to be rendered include the following:
- (a) Analysis of the financial situation, and rendering advice and assistance to the client in determining whether to file a petition under Title 11. U.S.C.
- (b) Preparation and filing of the petition, schedules, statement of affairs and other documents required by the court.
- (c) Representation of the client at the **first scheduled** meeting of creditors.
- (d) Advice as required.
- By agreement with the debtor(s), the above-disclosed fee does not include the following service: Fee does **NOT** include missed court dates & amendments to schedules, contested matters, motions, objections to discharge or other matters except the first meeting of creditors.

#### CERTIFICATION

I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy proceedings.

Respectfully Submitted,

/s/ Mario M Arreola 10/27/2009 Dated:

> Attorney Name: Mario M Arreola LAW OFFICES OF PETER FRANCIS GERACI 55 E. Monroe Street #3400 Chicago IL 60603 312.332.1800 (PH) 312.332.6354 (FAX)

457789

Bar No: IL 6197597

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In re

Jose Antonio Lopez, and Patricia Lopez, Debtors

### **VERIFICATION OF CREDITOR MATRIX**

The above named Debtor(s) hereby verify that the attached list of creditors is true and correct to the best of our knowledge.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Dated: 10/24/2009 /s/ Jose Antonio Lopez

**Jose Antonio Lopez** 

X Date & Sign

Dated: 10/24/2009

457789

PFG Record #

/s/ Patricia Lopez

Patricia Lopez

X Date & Sign

<sup>\*</sup> Joint debtors must provide information for both spouses. Penalty for making a false statement or concealing property: Fine up to \$500,000 or up to 5 years imprisonment or both. 18 U.S.C. 152 and 3571.

Jose Antonio Lopez and Patricia Lopez, Debtors

In re

### **NOTICE TO INDIVIDUAL CONSUMER DEBTOR(S)**

In accordance with § 342(b) of the Bankruptcy Code, this notice: (1) Describes briefly the services available from credit counseling services; (2) Describes briefly the purposes, benefits and costs of the four types of bankruptcy proceedings you may commence; and (3) Informs you about bankruptcy crimes and notifies you that the Attorney General may examine all information you supply in connection with a bankruptcy case. You are cautioned that bankruptcy law is complicated and not easily described. Thus, you may wish to seek the advice of an attorney to learn of your rights and responsibilities should you decide to file a petition. Court employees cannot give you legal advice.

#### 1. Services Available from Credit Counseling Agencies

With limited exceptions, § 109(h) of the Bankruptcy Code requires that all individual debtors who file for bankruptcy relief on or after October 17, 2005, receive a briefing that outlines the available opportunities for credit counseling and provides assistance in performing a budget analysis. The briefing must be given within 180 days <u>before</u> bankruptcy filing. Briefing may be provided individually or in a group (including briefings conducted by telephone or on the Internet) must be provided by nonprofit budget & credit counseling agency approved by the United States trustee or bankruptcy administrator. The clerk of the bankruptcy court has a list that you may consult of the approved budget and credit counseling agencies.

In addition, after filing a bankruptcy case, an individual debtor generally must complete a financial management instructional course before he or she can receive a discharge. The clerk also has a list of approved financial management instructional courses.

### 2. The Four Chapters of the Bankruptcy Code Available to Individual Consumer Debtors

Chapter 7: Liquidation (\$245 filing fee, \$39 administrative fee, \$15 trustee surcharge: Total fee \$299)

- 1. Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts. Debtors whose debts are primarily consumer debts are subject to a "means test" designed to determine whether the case should be permitted to proceed under chapter 7. If your income is greater than the median income for your state of residence and family size, in some cases, creditors have the right to file a motion requesting that the court dismiss your case under § 707(b) of the Code. It is up to the court to decide whether the case should be dismissed.
- 2. Under chapter 7, you may claim certain of your property as exempt under governing law. A trustee may have the right to take possession of and sell the remaining property that is not exempt and use the sale proceeds to pay your creditors.
- 3. The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, the court may deny your discharge and, if it does, the purpose for which you filed the bankruptcy petition will be defeated.
- 4. Even if you receive a general discharge, some particular debts are not discharged under the law. Therefore, you may still be responsible for most taxes and student loans; debts incurred to pay nondischargeable taxes; domestic support and property settlement obligations; most fines, penalties, forfeitures, and criminal restitution obligations; certain debts which are not properly listed in your bankruptcy papers; and debts for death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs. Also, if a creditor can prove that a debt arose from fraud, breach of fiduciary duty, or theft, or from a willful and malicious injury, the bankruptcy court may determine that the debt is not

#### Chapter 13: Repayment of All or Part of Debts of an Individual with Regular Income (\$235 filing fee, \$39 administrative fee: Total \$274)

- 1. Chapter 13 is designed for individuals with regular income who would like to pay all or part of their debts in installments over a period of time. You are only eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.
- 2. Under chapter 13, you must file with the court a plan to repay your creditors all or part of the money that you owe them, using your future earnings. The period allowed by the court to repay your debts may be three years or five years, depending upon your income and other factors. The court must approve your plan before it can take effect.
- 3. After completing the payments under your plan, your debts are generally discharged except for domestic support obligations; most student loans; certain taxes; most criminal fines and restitution obligations; certain debts which are not properly listed in your bankruptcy papers; certain debts for acts that caused death or personal injury; and certain long term secured obligations.

#### Chapter 11: Reorganization (\$1000 filing fee, \$39 administrative fee: Total fee \$1039)

Chapter 11 is designed for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

#### Chapter 12: Family Farmer or Fisherman (\$200 filing fee, \$39 administrative fee: Total fee \$239)

Chapter 12 is designed to permit family farmers and fishermen to repay their debts over a period of time from future earnings and is similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family farm or fishing operation.

#### 3. Bankruptcy Crimes and Availability of Bankruptcy Papers to Law Enforcement Officials

A person who knowingly and fraudulently conceals assets or makes a false oath or statement under penalty of perjury, either orally or in writing, in connection with a bankruptcy case is subject to a fine, imprisonment, or both. All information supplied by a debtor in connection with a bankruptcy case is subject to examination by the Attorney General acting through the Office of the United States Trustee, the Office of the United States Attorney, and other components and employees of the Department of Justice.

**WARNING:** Section 521(a)(1) of the Bankruptcy Code requires that you promptly file detailed information regarding your creditors, assets, liabilities, income, expenses and general financial condition. Your bankruptcy case may be dismissed if this information is not filed with the court within the time deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court.

I (We), the debtor(s), affirm that I (we) have received and read this notice.

/s/ Jose Antonio Lopez Sign & Date Dated: 10/24/2009 Here Jose Antonio Lopez /s/ Patricia Lopez 10/24/2009 Sign & Date Dated: **Patricia Lopez** Here /s/ Mario M Arreola 10/27/2009 Dated: Attorney: Mario M Arreola Bar No: IL 6197597

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